

112 to m7  
Smyser

IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

INTERNATIONAL MARKETING, INC., :  
 :  
 : C.A. No. 1:CV 00-0697  
Plaintiff, :  
 :  
 :  
v. : (Magistrate Smyser)✓  
 :  
COUNTERACT BALANCING BEADS, INC., :  
 :  
 :  
Defendant. :  
 :

FILED  
HARRISBURG, PA  
MAR 17 2003

CONCURRED MOTION OF DEFENDANT COUNTERACT BALANCING BEADS, INC. TO EXTEND BRIEFING SCHEDULE  
Per MARY E. D'ANDREA, Clerk  
Deputy Clerk

Defendant Counteract Balancing Beads, Inc. ("CBB" or "defendant"), by and through its undersigned counsel, and with agreement and concurrence of plaintiff International Marketing, Inc. ("IMI" or "plaintiff"), by and through its counsel, moves this Court for an extension of time within which to file, if necessary, a responsive brief to IMI's pending Motion for Reconsideration. In support of this motion, CBB states as follows:

1. On January 8, 2003, IMI filed its motion for reconsideration regarding the Court's decision denying in part IMI's Motion for Attorney's Fees.

2. On February 7, 2003, IMI filed its Memorandum of Law in support its Motion for Reconsideration.

3. IMI and CBB have been engaged in settlement discussions to resolve this matter, including resolving the pending Motion for Reconsideration.

4. On February 28, 2003, the parties filed a Stipulation and Order seeking an extension of time to and including March 17, 2003 to file and serve, if necessary, a responsive brief opposing IMI's Motion For Reconsideration.

5. On March 4, 2003, the Court entered the Stipulation and Order.

6. Since that time the parties have continued the drafting of settlement documents. Due to, in part, scheduling difficulties, the parties have not been able to complete the finalization of the settlement documents as of March 14, 2003, but believe completion can be accomplished within the next two weeks.

7. CBB accordingly requests, and IMI concurs in such a request, for a limited extension of time to the

briefing schedule, to allow the parties the opportunity to finalize the settlement documents.

8. Undersigned counsel for CBB certifies that he spoke with Allen Warshaw, Esquire on March 14, 2003, and was advised that IMI concurs in this request for a limited extension of time to complete, if necessary, briefing relating to the pending Motion for Reconsideration.

A form of Order for this request is attached for Court's convenience.

Respectfully submitted,



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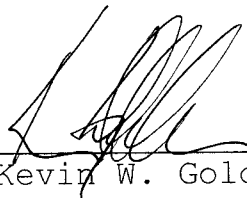
Attorneys for Defendant  
Counteract Balancing Beads

Dated: March 14, 2003

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing *Concurred Motion of Defendant Counteract Balancing Beads, Inc. To Extend Briefing Schedule* was served upon the noted counsel of record by Federal Express, overnight delivery, on March 14, 2003.

Allen C. Warshaw, Esquire  
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Kevin W. Goldstein